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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/522,210

02/24/2005

Herve Riu

007374.P001

3728

8791 7590 01/19/2007  
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EXAMINER

PILKINGTON, JAMES

ART UNIT

PAPER NUMBER

3682

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

01/19/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/522,210

Applicant(s)

RIU, HERVE

Examiner

James Pilkington

Art Unit

3682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 8/11/06 & 12/04/06.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Priority***

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy and requested translation has been filed in parent Application No. TO 2002A000622, filed on July 16, 2002.

### ***Information Disclosure Statement***

2. The error in the filling of the IDS dated May 16, 2005 has been noted, there now appears to be second IDS, dated 08/11/06, filed in error by the Ladas & Parry firm, see attached. The applicant is request to confirm that this IDS is filed in error, currently none of the references are being entered by the examiner.

### ***Specification***

3. The disclosure is objected to because of the following informalities: page 4 line 23 reads "a median plane M" it should be - - a median plane Л - - to match that shown in the drawing.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1 and 2 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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Re clm 1, the phrase "extending inwards" in line 23 of the claim renders the claim indefinite. The applicant has not provided a frame of reference for the term "inwards." Does the flange extend inwards toward the median plane (Л) or inwards towards the axis of rotation or both? Does applicant mean "radially inwards" like that used on line 16 of the claim?

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claim 1, as best understood, is rejected under 35 U.S.C. 102(b) as being anticipated by Riu, USP 5,988,015.

Riu discloses an integrated pulley-torsional damper assembly including:

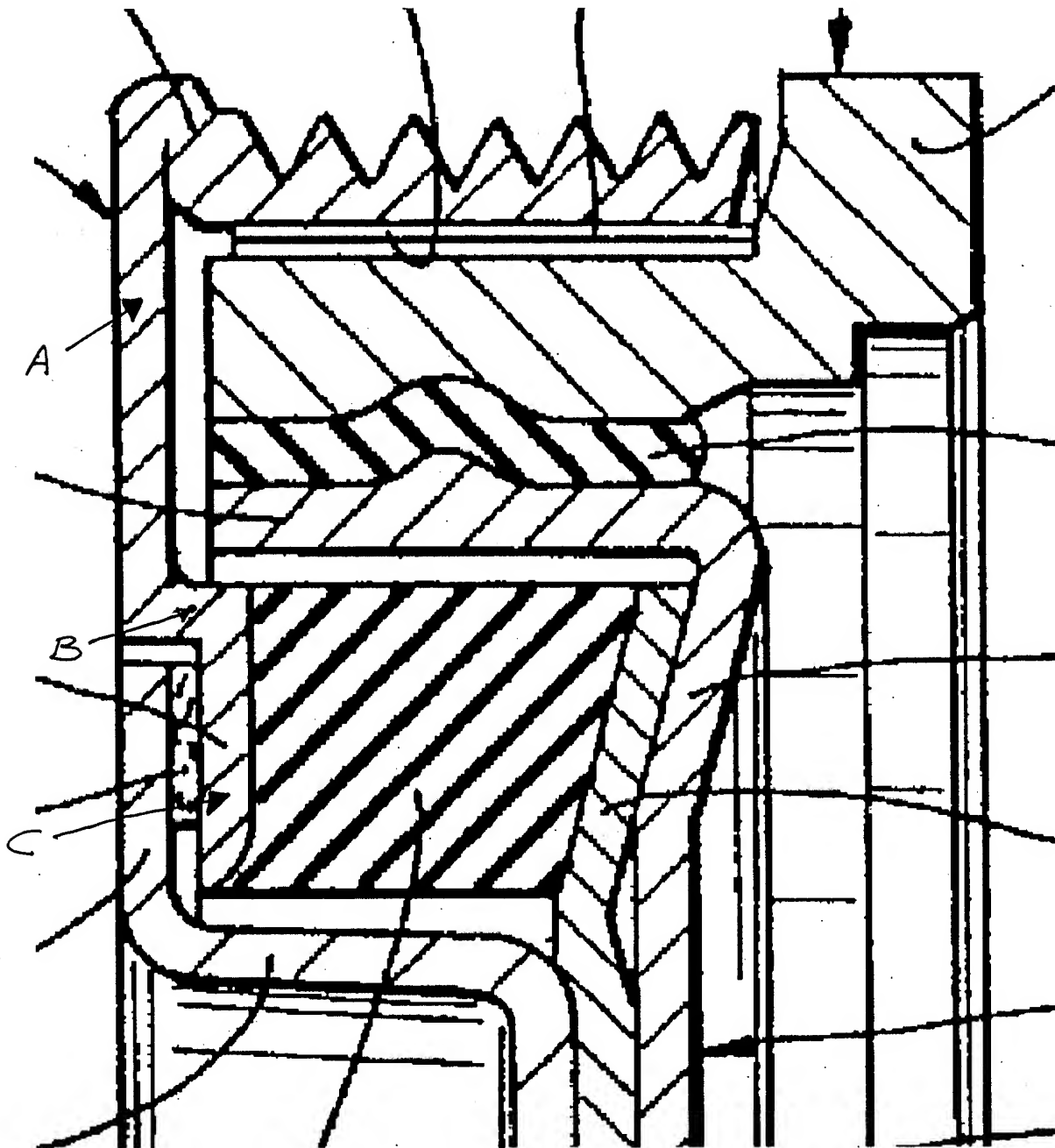
- A hub (11)
- A drive member (at axis 20)
- A pulley (21) connected to the hub (11, via 24 and 25)
- A first elastomeric ring (24)
- A inertia ring (19)
- A second elastomeric ring (14)
- Said hub comprising:
  - An internal annular flange (16)

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- An annular coupling portion (12) having a substantially C-shaped cross section
  - A cavity (houses 23, 24 and 25)
  - An outer tubular wall (13) on which said second elastomeric ring (14) is fitted
- A bearing (40) set between the outer tubular wall (13) and the pulley (21)
- Said pulley comprising:
  - A peripheral crown (22)
  - A flange (23/33) extending radially inwards from said crown (22)
  - Said flange (23) comprising:
    - An outer annular portion (A, see Figure below)
    - An intermediate tubular wall (B) coaxial with respect to the crown (22)
    - An inner annular flange (C) extending [radially] inward from said tubular wall (B) opposite the outer annular portion (A) and facing the peripheral edge (25) of the coupling flange (29)
- A coupling flange (29) provided with an inner annular wall (26) bearing axially against said flange (16) of the hub (11) and with a peripheral annular edge (25)

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- Said first elastomeric ring (24) being set axially between said inner annular flange (C) and the peripheral annular edge (25) and forming a single body (one pulley) with them
- Said inertia ring (19) being contained inside said crown (22)
- Said elastomeric ring (24) being housed within said cavity of said annular coupling portion (12)



Taken from Riu Figure 1

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 2, as best understood, is rejected under 35 U.S.C. 103(a) as being unpatentable over Riu, USP 5,988,015 in view of Morr et al, USP 5,516,331.

Riu discloses all the claimed subject matter as disclosed above.

Riu does not disclose that the bearing comprises integrally a tubular portion, radially set between said outer tubular wall of said hub and said intermediate tubular wall of said pulley, and a flange axially set between said outer annular portion of said flange of said pulley and said outer tubular wall of said hub.

Morr teaches a bearing (9") that comprises integrally a tubular portion (9" is a tubular portion), radially set between said outer tubular wall (19") of said hub (23"-2"-19") and said intermediate tubular wall (8") of said pulley (17"), and a flange (24") axially set between said outer annular portion (running between 7" to 8") of said flange (7") of said pulley (17") and said outer tubular wall (19") of said hub (23"-2"-19") for the purpose of providing a bearing/guide that prevents the occurrence of tilting moments which is advantageous for couplings rotating at high speed (C2/L1-55).

It would have been obvious to one having ordinary skill in the art at the time of the invention to modify the teachings of Riu and provide a bearing that comprises integrally a tubular portion, radially set between said outer tubular wall of said hub and



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said intermediate tubular wall of said pulley, and a flange axially set between said outer annular portion of said flange of said pulley and said outer tubular wall of said hub, as taught by Morr, for the purpose of providing a bearing/guide that prevents the occurrence of tilting moments which is advantageous for couplings rotating at high speed.

### ***Response to Arguments***

10. Applicant's arguments with respect to claims 1 and 2 have been considered but are moot in view of the new ground(s) of rejection.

\*NOTE: The inventor name and contact information has been corrected. The changed to the inventor name is reflected on the Office Action Summary.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Pilkington whose telephone number is (571) 272-5052. The examiner can normally be reached on Monday-Friday 8:00AM-4:00PM.

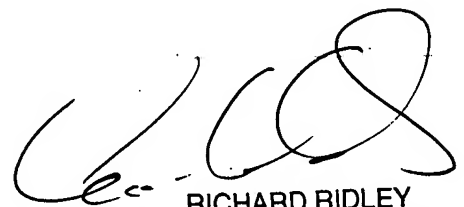
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Ridley can be reached on (571) 272-6917. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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1/09/07

  
RICHARD RIDLEY  
SUPERVISORY PATENT EXAMINER